

# **Exhibit 78**

**Excerpts of Harry Griffiths  
Investigative Testimony Transcripts**

**C-08755**

***Griffiths, Harry - Vol.  
II.20220622.390614-C***

***6/22/2022 7:28 AM***

**Condensed Transcript**

**Prepared by:**

Lory Stone  
C-08755

Thursday, June 30, 2022

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1 UNITED STATES SECURITIES AND EXCHANGE COMMISSION

2

3 In the Matter of: )

4 ) File No. C-08755-A

5 SOLARWINDS, INC. )

6

7 WITNESS: Harry Griffiths

8 PAGES: 134 through 291

9 PLACE: Securities and Exchange Commission

10 175 W Jackson Blvd, Ste 1450

11 Chicago, IL 60604

12 DATE: Wednesday, June 22, 2022

13

14 The above-entitled matter came on for hearing,  
15 via WebEx, pursuant to notice, at 7:28 a.m.

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21

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23

24 Diversified Reporting Services, Inc.

25 (202) 467-9200

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1 APPEARANCES:

2

3 On behalf of the Securities and Exchange Commission:

4 LORY STONE, ESQ.

5 WILLIAM BRAD NEY, ESQ.

6 BENJAMIN BRUTLAG, IT FORENSIC STAFF

7 KENNETH ZAVOS, IT FORENSIC STAFF

8 MARGARET VIZZI

9 Securities and Exchange Commission

10 Division of Enforcement

11 175 W Jackson Blvd, Ste 1450

12 Chicago, IL 60604

13

14 On behalf of the Witness:

15 JULIE RIEWE, ESQ.

16 ANNA MOODY, ESQ.

17 Debevoise &amp; Plimpton

18 801 Pennsylvania Avenue N.W.

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21

22 BECKY MELTON, SOLARWINDS

23 JASON BLISS, SOLARWINDS

24

25

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## 1 C O N T E N T S

2

3 WITNESS: EXAMINATION

4 Harry Griffiths 138

5

6 EXHIBITS: DESCRIPTION IDENTIFIED

7 222 10.15.2020 Email from Gloria Goh 146

8 223 11.5.2020 IM between Harry Griffiths

9 and Caroline Musindi 162

10 224 IM exchange between Harry Griffiths,

11 Eric Quitugua and Mr. Sejna 179

12 225 12.1.2020 IM exchange between Harry

13 Griffiths and Ondrej Fitzek 193

14 226 9.1.2020 IM between Harry Griffiths

15 and Roberto Borlain 205

16 227 11.20.2020 Email exchange 210

17 228 11.20.2020 IM between Harry Griffiths

18 and Eric Quitugua 272

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## 1 P R O C E E D I N G S

2 MS. STONE: So we are on the record at 7:28

3 a.m. Eastern Standard Time on June 22nd of 2022. I am

4 Lory Stone. With me from the commission are Brad Ney,

5 Benjamin Brutlag, Margaret Vizzi, and Ken Zavos. We

6 are officers of the commission for purposes of this

7 proceeding. We are today resuming testimony of Harry

8 Griffiths in the matter of SolarWinds, Inc., C-08755.

9 And I actually just want a verifiable

10 record. It looks like Margaret Vizzi and Ken Zavos

11 have not yet joined us. So for the Commission, it's

12 Brad Ney, Benjamin Brutlag, and Lory Stone.

13 Counsel for the witness, would you please

14 identify yourself for the record?

15 MS. RIEWE: Julie Riewe, Anna Moody, and

16 Shannon Eddy from Debevoise &amp; Plimpton, and Jason

17 Bliss and Becky Melton from SolarWinds.

18 MS. STONE: And, Ms. Melton, are you in the

19 room with Mr. Griffiths?

20 MS. MELTON: Yes. I am.

21 MS. STONE: Is there anyone else in the room

22 with Mr. Griffiths?

23 MS. MELTON: No. There is not.

24 MS. STONE: Okay. Margaret Vizzi has also

25 joined us on the ignition. This testimony is pursuant

<p style="text-align: right;">Page 270</p> <p>1 specifically sure what that info was.</p> <p>2 MR. NEY: Okay. I understand that. I think</p> <p>3 you already testified to that. And you on down below</p> <p>4 about, we ain't told them the details apart from the</p> <p>5 web filter fix. And my question is, would you have</p> <p>6 shared and if you - well, first, do you recall, did</p> <p>7 you share with Mr. Brown or your legal team that there</p> <p>8 were these additional details or information that you</p> <p>9 had not shared with the federal - that have not been</p> <p>10 shared yet with federal authorities?</p> <p>11 THE WITNESS: I don't recall.</p> <p>12 MR. NEY: Okay. Would it be in your</p> <p>13 practice to update them and to tell them about those</p> <p>14 types of details, or to tell them about the details in</p> <p>15 advance of a call with the FBI or the Department of</p> <p>16 Homeland Security?</p> <p>17 THE WITNESS: That was the first time that I</p> <p>18 had experienced that before.</p> <p>19 MR. NEY: Okay. And you don't remember what</p> <p>20 you shared with them, that being such a unique</p> <p>21 experience?</p> <p>22 THE WITNESS: No. I don't even remember the</p> <p>23 call. I remember only that I had a call with FBI. I</p> <p>24 didn't even remember until today that Homeland</p> <p>25 Security were there also or that's what I am</p>	<p style="text-align: right;">Page 272</p> <p>1 IM is November 2, 2020, through November 30, 2020.</p> <p>2 And the first Bates is SW-SEC00236723. This exhibit</p> <p>3 is quite long. Feel free to skim it, but I am going</p> <p>4 to direct you first to page 759.</p> <p>5 (SEC Exhibit No. 228 was marked</p> <p>6 for identification.)</p> <p>7 A Yes.</p> <p>8 Q All right. Mr. Griffiths, do you recognize</p> <p>9 Exhibit 228?</p> <p>10 A No. I don't recognize. It's a long chat</p> <p>11 you said between myself and Eric Quitugua. I have no</p> <p>12 reason to believe that wasn't me.</p> <p>13 Q Okay. Thank you. If you could please turn</p> <p>14 to page - the page ending in 759, and let me know</p> <p>15 when you're there.</p> <p>16 A I am there. Yeah.</p> <p>17 Q Okay. So embedded at the top, there is a</p> <p>18 chart that appears to be a list of vulnerabilities</p> <p>19 related to NPM. I have blown up the chart, and it</p> <p>20 follows at the end of the exhibit. It should be the</p> <p>21 last page of the exhibit. And you can see it on the</p> <p>22 screen as well. Please take a look at the chart and</p> <p>23 let me know if that seems right. That it's a list of</p> <p>24 vulnerabilities related to NPM.</p> <p>25 A That looks correct. Yeah.</p>
<p style="text-align: right;">Page 271</p> <p>1 suggesting in our chat.</p> <p>2 MR. NEY: Okay - thanks, Lory.</p> <p>3 THE WITNESS: I'm sorry.</p> <p>4 MR. NEY: I am sorry. What were you saying?</p> <p>5 THE WITNESS: I am thinking --</p> <p>6 MR. NEY: - you off.</p> <p>7 THE WITNESS: I am thinking Homeland</p> <p>8 Security was a reference to CISA.</p> <p>9 MR. NEY: Okay. Thank you.</p> <p>10 MS. STONE: All right. Why don't we go</p> <p>11 ahead and take a 10-minute break? So we're off the</p> <p>12 record at 11:56 a.m. Please remember to mute.</p> <p>13 (A brief recess was taken.)</p> <p>14 MS. STONE: So we are back on the record at</p> <p>15 12:10 p.m. Mr. Griffiths, if you could please confirm</p> <p>16 that there were no substantive conversations between</p> <p>17 yourself and SEC staff during the break?</p> <p>18 THE WITNESS: I can confirm.</p> <p>19 MS. STONE: Thank you. And I would also</p> <p>20 like to state for the record that Ken Zavos of the SEC</p> <p>21 joined us earlier today.</p> <p>22 BY MS. STONE:</p> <p>23 Q All right. So let's go ahead and turn to</p> <p>24 Exhibit 228. Exhibit 228 is an IM between Harry</p> <p>25 Griffiths and Eric Quitugua. The date range for the</p>	<p style="text-align: right;">Page 273</p> <p>1 Q All right. And then back on page 759, you</p> <p>2 write at 8:24 p.m., the products are riddled and</p> <p>3 obviously have been for many years, with nothing being</p> <p>4 found internally like this to this extent through</p> <p>5 testing. What do you mean by this?</p> <p>6 A It sounds like I was being a bit frustrated</p> <p>7 and surprised with the identification of</p> <p>8 vulnerabilities.</p> <p>9 Q Do you know where this embedded chart came</p> <p>10 from at the top of the page?</p> <p>11 A We missed today's meeting. I'm not sure.</p> <p>12 It's a direct query, and it's a list of cross-site</p> <p>13 scripting vulnerabilities for Network Performance</p> <p>14 Monitor. There is one for web helpdesk at the bottom</p> <p>15 of the table.</p> <p>16 Q And what did you mean when you said they</p> <p>17 were riddled? I guess first, the products that you're</p> <p>18 referring to, is that a reference to NPM?</p> <p>19 A I don't recall. I assume so considering I</p> <p>20 put the screengrab of that query in there.</p> <p>21 Q And what do you mean when you say they are</p> <p>22 riddled with vulnerabilities?</p> <p>23 A Riddle --</p> <p>24 MS. RIEWE: Just to be clear, it says they</p> <p>25 are riddled.</p>

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1 But the 25th is earlier than that so yeah.  
 2 MS. RIEWE: Okay. Just want to clarify.  
 3 MR. NEY: I'm sorry. What was the page you  
 4 were going to, Lory?  
 5 MS. STONE: 732, please.  
 6 BY MS. STONE:  
 7 Q Mr. Griffiths, let me know when you're  
 8 there, please.  
 9 A Yes. I am there.  
 10 Q All right. So I want to look at the 208  
 11 entry that Mr. Quitugua wrote. Towards the top of the  
 12 page, he writes I find it quite interesting that we  
 13 have referenced the STIG, S-T-I-G, as part of our  
 14 hardening guidelines, but then state we're not  
 15 responsible to support and configs. I mean we have -  
 16 I mean have we even tested Orion against those  
 17 settings to at least understand what will break and  
 18 what will not? LOL. You do not respond? What is a  
 19 STIG, Mr. Griffiths?  
 20 A A STIG is used by mostly federal agencies.  
 21 It is a non SolarWinds-specific framework for if  
 22 you're really hardening.  
 23 Q I am sorry. You said a framework for  
 24 hardening?  
 25 A Yeah. So that's applying controls mostly.

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1 There is some echo going on.  
 2 MS. STONE: Brad, if you wouldn't mind  
 3 muting, please.  
 4 MR. NEY: Oh, sorry.  
 5 THE WITNESS: There is some guidelines, and  
 6 you can download the stuff to help you implement. So  
 7 this would enable one to finally tune their Windows  
 8 Server OS. This one is for Windows IIS which hosts  
 9 websites. And yeah, it just - it's basically a  
 10 baseline, a high standard on - to help with security  
 11 defense that.  
 12 Q Okay. And you said those are not  
 13 SolarWinds-specific. They are more - they're  
 14 public-facing security resources. Do I have that  
 15 right?  
 16 A That's correct. Yeah.  
 17 Q Do you know if Orion was being tested  
 18 against those settings as of November 5, 2020?  
 19 A I don't know the answer to that.  
 20 Q Has Orion ever been tested against those  
 21 settings to your knowledge?  
 22 A I don't know that for sure.  
 23 Q Do you know who would? Would Mr. Quitugua  
 24 know?  
 25 A I - from what I am reading, it doesn't

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1 sound like he's sure either.  
 2 Q Do you know what guidelines he's talking  
 3 about when he says hardening guidelines?  
 4 A No. I don't. He's obviously talking about  
 5 public information is how I read it. We were working  
 6 on the secure configuration guide leading up to the  
 7 USDA vulnerability. Disclosure with CISA could have  
 8 been related to that document. For me, if it wasn't  
 9 that document, maybe the administrator guide. We  
 10 referenced it somewhere.  
 11 Q I'm sorry. The what guide?  
 12 A The administrator guide for the product or a  
 13 knowledge base article. But no, I don't know. I am  
 14 just speculating. It could be a few --  
 15 Q Okay.  
 16 A -- documents that he's referring to here.  
 17 Q But it sounds like you're describing  
 18 documents or guidelines that would go to customers.  
 19 Is that right?  
 20 A Yes. That's what I believe.  
 21 MS. STONE: Okay. SEC staff, any additional  
 22 questions on Exhibit 228?  
 23 MR. NEY: Nothing from me. Thanks.  
 24 MS. STONE: All right. So I think we're  
 25 about done. Why don't we take a five-minute break?

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1 So let's go off the record at 12:43 p.m. Please  
 2 remember to mute.  
 3 (A brief recess was taken.)  
 4 MS. STONE: We are back on the record at  
 5 1:04 p.m. Mr. Griffiths, if you could please confirm  
 6 there were no substantive conversations between  
 7 yourself and the SEC staff during the break.  
 8 THE WITNESS: I can confirm.  
 9 MS. STONE: All right. Mr. Griffiths, we  
 10 have no further questions at this time. We may,  
 11 however, call you again to testify in this  
 12 investigation. Should it be necessary, we will  
 13 contact your counsel. Before we close the record, do  
 14 you wish to clarify anything or add anything else to  
 15 the statements you have made yesterday or today?  
 16 THE WITNESS: No.  
 17 MS. STONE: Counsel, do you wish to ask any  
 18 clarifying questions at this time?  
 19 MS. RIEWE: Not at this time.  
 20 MS. STONE: Okay. We are off the record at  
 21 1:05 p.m. Eastern Standard Time on June 22, 2022.  
 22 (Whereupon, at 1:05 p.m., the examination  
 23 was concluded.)  
 24 \* \* \* \* \*  
 25

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## PROOFREADER'S CERTIFICATE

2

3 In The Matter of: SOLARWINDS

4 Witness: Harry Griffiths

5 File Number: C-08755-A

6 Date: Wednesday, June 22, 2022

7 Location: Chicago, IL

8

9 This is to certify that I, Maria E. Paulsen,  
 10 (the undersigned), do hereby certify that the  
 11 foregoing transcript is a complete, true and accurate  
 12 transcription of all matters contained on the recorded  
 13 proceedings of the investigative testimony.

14

15 \_\_\_\_\_

16 (Proofreader's Name) (Date)

17

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## REPORTER'S CERTIFICATE

2 I, JEMIMA EUELL, reporter, hereby certify that the  
 3 foregoing transcript of 156 pages is a complete, true  
 4 and accurate transcript of the testimony indicated,  
 5 held on June 22, 2022, at Chicago, IL in the matter  
 6 of:

7 SOLARWINDS.

8

9 I further certify that this proceeding was recorded by  
 10 me, and that the foregoing transcript has been  
 11 prepared under my direction.

12

13

14 Date: \_\_\_\_\_

15 Official Reporter: \_\_\_\_\_

16 Diversified Reporting Services, Inc.

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